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HOUSE BILL 1328

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State of Washington

67th Legislature

2021 Regular Session

By Representatives Pollet and Ryu; by request of Department of Health

Read first time 01/20/21. Referred to Committee on State Government & Tribal Relations.

1 AN ACT Relating to exempting information gathered for controlling  
2 diseases from public inspecting requirements; and reenacting and  
3 amending RCW 42.56.230.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 42.56.230 and 2019 c 470 s 8, 2019 c 239 s 2, and  
6 2019 c 213 s 2 are each reenacted and amended to read as follows:

7 The following personal information is exempt from public  
8 inspection and copying under this chapter:

9 (1) Personal information in any files maintained for students in  
10 public schools, patients or clients of public institutions or public  
11 health agencies, or welfare recipients;

12 (2)(a) Personal information:

13 (i) For a child enrolled in licensed child care in any files  
14 maintained by the department of children, youth, and families;

15 (ii) For a child enrolled in a public or nonprofit program  
16 serving or pertaining to children, adolescents, or students,  
17 including but not limited to early learning or child care services,  
18 parks and recreation programs, youth development programs, and after-  
19 school programs;

20 (iii) For the family members or guardians of a child who is  
21 subject to the exemption under this subsection (2) if the family

1 member or guardian has the same last name as the child or if the  
2 family member or guardian resides at the same address as the child  
3 and disclosure of the family member's or guardian's information would  
4 result in disclosure of the personal information exempted under  
5 (a)(i) and (ii) of this subsection; or

6 (iv) For substitute caregivers who are licensed or approved to  
7 provide overnight care of children by the department of children,  
8 youth, and families.

9 (b) Emergency contact information under this subsection (2) may  
10 be provided to appropriate authorities and medical personnel for the  
11 purpose of treating the individual during an emergency situation;

12 (3) Personal information in files maintained for employees,  
13 appointees, or elected officials of any public agency to the extent  
14 that disclosure would violate their right to privacy;

15 (4) Information required of any taxpayer in connection with the  
16 assessment or collection of any tax if the disclosure of the  
17 information to other persons would: (a) Be prohibited to such persons  
18 by RCW 84.08.210, 82.32.330, 84.40.020, 84.40.340, or any ordinance  
19 authorized under RCW 35.102.145; or (b) violate the taxpayer's right  
20 to privacy or result in unfair competitive disadvantage to the  
21 taxpayer;

22 (5) Credit card numbers, debit card numbers, electronic check  
23 numbers, card expiration dates, or bank or other financial  
24 information as defined in RCW 9.35.005 including social security  
25 numbers, except when disclosure is expressly required by or governed  
26 by other law;

27 (6) Personal and financial information related to a small loan or  
28 any system of authorizing a small loan in RCW 31.45.093;

29 (7)(a) Any record used to prove identity, age, residential  
30 address, social security number, or other personal information  
31 required to apply for a driver's license or identicard.

32 (b) Information provided under RCW 46.20.111 that indicates that  
33 an applicant declined to register with the selective service system.

34 (c) Any record pertaining to a vehicle license plate, driver's  
35 license, or identicard issued under RCW 46.08.066 that, alone or in  
36 combination with any other records, may reveal the identity of an  
37 individual, or reveal that an individual is or was, performing an  
38 undercover or covert law enforcement, confidential public health  
39 work, public assistance fraud, or child support investigative  
40 activity. This exemption does not prevent the release of the total

1 number of vehicle license plates, drivers' licenses, or identicards  
2 that, under RCW 46.08.066, an agency or department has applied for,  
3 been issued, denied, returned, destroyed, lost, and reported for  
4 misuse.

5 (d) Any record pertaining to a vessel registration issued under  
6 RCW 88.02.330 that, alone or in combination with any other records,  
7 may reveal the identity of an individual, or reveal that an  
8 individual is or was, performing an undercover or covert law  
9 enforcement activity. This exemption does not prevent the release of  
10 the total number of vessel registrations that, under RCW 88.02.330,  
11 an agency or department has applied for, been issued, denied,  
12 returned, destroyed, lost, and reported for misuse;

13 (8) All information related to individual claims resolution  
14 structured settlement agreements submitted to the board of industrial  
15 insurance appeals under RCW 51.04.063, other than final orders from  
16 the board of industrial insurance appeals.

17 Upon request by the legislature, the department of licensing  
18 shall provide a report to the legislature containing all of the  
19 information in subsection (7)(c) and (d) of this section that is  
20 subject to public disclosure;

21 (9) Voluntarily submitted information contained in a database  
22 that is part of or associated with enhanced 911 emergency  
23 communications systems, or information contained or used in emergency  
24 notification systems as provided under RCW 38.52.575 and 38.52.577;

25 (10) Until the person reaches eighteen years of age, information,  
26 otherwise disclosable under chapter 29A.08 RCW, that relates to a  
27 future voter, except for the purpose of processing and delivering  
28 ballots;

29 (11) All information submitted by a person to the state, either  
30 directly or through a state-licensed gambling establishment, or  
31 Indian tribes, or tribal enterprises that own gambling operations or  
32 facilities with class III gaming compacts, as part of the self-  
33 exclusion program established in RCW 9.46.071 or 67.70.040 for people  
34 with a gambling problem or gambling disorder; (~~and~~)

35 (12) Names, addresses, or other personal information of  
36 individuals who participated in the bump-fire stock buy-back program  
37 under RCW 43.43.920; and

38 (13) Any information that, alone or in combination with any other  
39 information, may reveal the identity of an individual that is  
40 submitted to or obtained by an agency for the purpose of

1 investigating, controlling, preventing, or protecting the public from  
2 any disease, notifiable or provisionally notifiable condition as  
3 defined by the state board of health, or condition constituting a  
4 threat to the public health. Exempt information includes, but is not  
5 limited to, any name, month, day, or year of birth, place of birth,  
6 telephone number, street or mailing address, or other location  
7 information, email address, other contact information, place of  
8 employment, photograph of an individual, and information about an  
9 individual's physical characteristics that is submitted to or  
10 obtained by an agency for the purposes described in this subsection.

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